



The Judicial Branch News

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The *Judicial Branch News* is an online newsletter published by the Media Relations and Community Outreach Department. The newsletter is also available on the Court's Intranet site at:
<http://courts.maricopa.gov/publicInfo/newsLetter/index.asp>

If you wish to contribute to this newsletter, please send articles, news items, photos or other correspondence to:
karra@superiorcourt.maricopa.gov.

"Committed to the Timely, Fair and Impartial Administration of Justice."



Two New Judges Appointed

Governor Janet Napolitano has named Maricopa County Superior Court Commissioner Susan Marie Brnovich and David Bruce Gass to the Maricopa County Superior Court.

Susan Brnovich, a Republican, has served five years as a court commissioner. During that time she served as judge pro tempore covering a family court calendar since October 2007 and also covered Probate/Civil and Juvenile as needed. Prior to working for the Court, Brnovich worked in the Maricopa County Attorney's Office in various areas including Trial Bureau, Family Violence Bureau and the Training Division.

Brnovich received her Bachelor of Business Administration in Finance and Spanish as well as her Juris Doctorate and Masters of Science in Finance through a joint degree program at the University of Wisconsin.

David Gass, a Democrat, was the director of legislative affairs to the Attorney General's Office and a judge pro tempore. He previously served as a legal counsel the Arizona House of Representatives. Gass was also an associate at Lewis & Roca and a law clerk for then Court of Appeals Judge Ruth McGregor.

Gass received a Bachelor of Science degree in Business Administration and a Masters of Arts in Communications from Bloomsburg University of Pennsylvania. He received his Juris Doctorate from Arizona State University.

COJET Requirements Change

On January 8, 2009, Chief Justice Ruth V. McGregor signed Administrative Order 2009-01: Budget reductions in the Judicial Branch of Arizona. With respect to judicial branch education, the order recognizes the current budget crisis facing our courts and offers temporary relief for non-judicial officer court personnel for Calendar Year 2009, as follows:

"The continuing judicial education and training requirements established in the Arizona Code of Judicial Administration (ACJA) Section 1-302 for all employees in the Judicial Branch, except judicial officers (Judges and Commissioners), are reduced by fifty percent to 8 hours, and the core curricula requirements provided in ACJA Section 1-302.K.2 are suspended for calendar year 2009. The AOC shall to the extent practicable, offer online educational programs for judges and other Judicial Branch employees as a way to reduce travel costs for attending training and education programs."

COJET - continued on page 4

Message From the Presiding Judge



Barbara Rodriguez Mundell
Presiding Judge

The economic crisis facing the state and county is having a major impact on our court and the way we do business.

Last year, the Judicial Branch managed budget reductions through eliminating vacant positions and reducing administrative and program operations.

But as we begin 2009, more fiscal challenges and tough choices lie ahead.

As we continue to tighten our belts, we must be cautious not to compromise our mandated responsibilities that assure timely, fair and impartial administration of justice to every individual the court serves.

Safety continues to be one of our court's top goals for 2009. It's our responsibility to provide safe and accessible county-wide court facilities.

To keep our courts safe, we must continue making wise investments. It's important that we continue moving forward with the Downtown Criminal Court Tower project. The added courtrooms, inmate holding cells and space in the new criminal tower is critical to manage the rapid rise in the number of criminal cases.

Beginning construction on the new criminal tower now, makes sense from a public safety perspective and from an economic standpoint. Building at a time when land prices and construction costs are down will save taxpayers millions of dollars.

Another goal in 2009 is the continued success of the Master Calendar Pilot Project. I'm anticipating the project will help reduce backlog, streamline cases and shorten the length of criminal felony trials.

This year, we need to make it our goal to take care of our most precious resource – our staff. During faltering markets and growing deficits, our court needs to find ways to improve employee morale.

We have already asked staff to make sacrifices that include taking on extra responsibilities and changing their schedules to provide critical coverage. As managers, we need to recognize these efforts and acknowledge good work.

I encourage each of you to help me meet the challenges to improve court programs, court access and court services so we may continue to enjoy our reputation as one of the best trial courts in the country.

It's a new year; we can all strive for more.

Q-and-A: Judge Dawn Bergin

Judges who have joined the bench over the past several months are being featured in a question-and-answer feature that runs regularly in the Judicial Branch News.

Q. Before joining Superior Court, you were a partner with Lewis and Roca, specializing in complex commercial and business tort litigation. How did that work prepare you for your career as a judge?

My litigation experience at Lewis and Roca helped prepare me to become a judge in a broad sense. I learned the mechanics of preparing a lawsuit, how to advocate, analyze legal issues, deal with conflicts with other lawyers, be a professional and try a case. I could not have asked for a better place to learn these skills, or a better set of lawyers to learn them from. I had no exposure to juvenile law before coming to the bench, though, so I have learned it through rapid-fire on-the-job training. And there are some things about being a judge that you can learn only by doing. Examples for me include making sure that everyone gets their say while at the same time keeping control over the courtroom and staying on time; and maintaining detachment from some of the very distressing cases we hear.



Dawn Bergin

Q. Prior to attending law school, you spent a year studying international business relations at the Autonomous University of Madrid in Madrid Spain. Did that experience influence your career path?

Yes, and in a fundamental way. After I graduated from college, I worked as a budget analyst and lived in the same Northern Virginia suburb in which I grew up. I was lucky to receive a scholarship after graduation and took a leave of absence to study in Spain. I had never been overseas before. The exposure to another culture and language made me want to confront new challenges. So, when I returned to the United States, I decided to seek out a new career and a new place to live. That is how I stumbled on the idea of law school, which led to my move here and eventually to this job, which I love.

Q. You have done work in the community assisting families and domestic violence victims. Does this work help you better understand some of the cases you hear on your juvenile calendar?

My prior volunteer work in the domestic violence and family arenas provided me with some fundamental understanding of issues I face on the juvenile bench, such as the cycle and psychology of domestic violence and its effect on the family. But it is the actual experience on the bench that has opened my eyes to the extent of the problems pervading families, including methamphetamine and abuse. I have developed a great deal of respect for the professionals who work in this field—the lawyers, CPS workers, social workers, probation officers and staff. The case workers and probation officers in particular are on the front lines every day, facing situations that most of us only read about in the newspaper. They are the ones who make a true difference in the families' and children's lives.

Q. What's your favorite quote? (This can be something one of your children said to you, what you said to them, a line from poetry or something you wish you hadn't said).

I tend toward the simpler and more concise quotes. One that has stayed with me for years is:

"No one can make you feel inferior without your consent." Eleanor Roosevelt

COJET Requirements Change - *continued from page 1*

Answers to frequently asked questions:

- 1) **Is this year's core curriculum covering communications/dealing with the public still required?** No
- 2) **Is ethics training still required?** Yes
- 3) **If other requirements in the code would cause an employee to exceed 8 hours, are those requirements now waived?** No
An example would be the 8 hours of defensive tactics refresher training required of all adult and juvenile probation and surveillance officers. This training would still be required even if a probation or surveillance officer had already completed 8 hours of continuing education. The eight hours is a mandatory minimum, not a mandatory maximum.
- 4) **What are the prorated requirements for a new employee?** With a 50% reduction in hours for court staff, the mandatory minimum continuing education hours for **new employees** also would be reduced by 50%. As an example, an employee who would have been required to have 12 hours of COJET credit plus orientation, ethics and core curriculum, would now have 6 hours of continuing education plus orientation and ethics.
- 5) **May an employee complete all of the required 8 hours in an independent learning format?** Yes. The current code allows for a maximum of 8 hours of independent learning. This allowance was not reduced by the temporary reduction in total COJET hours required for the reporting year.

Here is the link to our online learning page: <http://courts.maricopa.gov/training/cojet/online.asp>

- 6) **Who are "judicial officers?"** Anyone who is covered in ACJA §1-302. Section J: Requirements for Judges, is considered a judicial officer and would **not** have a reduction in the 16 hour minimum or in any other specified education requirement, such as New Judge Orientation or attendance at an annual Judicial Conference.

Submitted by Lorin Smith
Training Coordinator

Q-and-A: Judge Dawn Bergin

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Q. Do you have a favorite movie or television show in the court or legal genre? Please explain.

12 Angry Men. I found the dynamics of the jury deliberations fascinating, and you can't beat the cast—Henry Fonda, Jack Klugman, E.G. Marshall, Ed Begley.

Q. Do you own an IPOD? If so, what songs are on your playlists?

Yes. I suppose I am bound by my ethical obligations to be totally truthful, so I will admit that I have multiple cheesy 1970s songs like "Ode to Billy Joe," "The Nights the Lights went out in Georgia" (the Vicki Lawrence version); and "The Night They Drove Old Dixie Down."

CCB Basement Remodel Update



CENTRAL COURTS BASEMENT UPDATE

January 2009

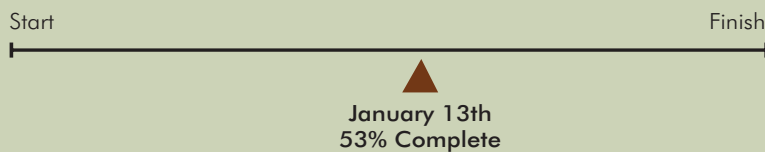
CURRENT ACTIVITIES

- Framing of the walls is near completion
- Drywall has begun
- Masonary walls are being installed
- HVAC rough-in is 50% complete and new air handlers are being installed
- Electrical rough-in is near completion

JANUARY FACT

The space contains over 27 miles of electrical wiring and 7 miles of electrical conduit.

SCHEDULE



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Retirements and Farewells

Retired Criminal Presiding Judge Anna Baca poses with Judge Gary Donahoe at her retirement party.

Judge Donahoe, the new criminal presiding judge, and the criminal department presented Judge Baca a shadow box containing an Arizona state flag that was flown over the Maricopa County Superior Court Complex on December 18.

Judge Baca has served as a Superior Court Judge since 1994. Prior to joining the Court, she served as an Administrative Law Judge with the U.S. Equal Employment Opportunity Commission.



Court Interpreter Ramon Degadillo poses with fellow interpreter Kathleen Penney at his retirement party. Degadillo worked for Superior Court for 27 years.



Court Administrator Marcus Reinkensmeyer presents former Special Projects Administrator Diana Hegyi with a plaque at her farewell party. Hegyi has accepted a position with Pinal County Superior Court. She worked at the Superior Court for almost 12 years.

Court News and Notes

Family Violence Prevention Center Update

The holiday season has been labeled the *most wonderful time of the year* but ironically it's the time of the year where the Family Violence Prevention Center sees its heaviest traffic.

This December was no different.

Superior Court experienced an increase in the amount of court customers seeking orders of protection through the Family Violence Prevention Center.

The Center helps individuals seeking information and assistance regarding domestic violence related issues. Computer terminals within the Center provide a user-friendly, online prompt system for plaintiffs requesting protective orders and offers access to advocates from local shelters and non-profit organizations.

Established as a grant-funded program in 2001, the Family Violence Prevention Center began as a single unit inside the Downtown Court Complex in Phoenix. Today, Superior Court has seven Family Violence Prevention Centers at different court complexes throughout Maricopa County, handling more than 10,000 petitions involving protective orders in Fiscal Year 2008.

"When I worked in Family Court, I was heavily involved in the creation of the Family Violence Prevention Center and still consider my work on the project one my greatest accomplishments at the court," said General Jurisdiction Court Administrator Phil Knox.

Adult Probation Briefs

On Saturday, October 25, Adult Probationers along with community leaders and Adult Probation Officers met to assemble park benches donated to the residents of zip code 85017 in Phoenix.

The probationers received credit toward Court ordered community restitution hours and had the opportunity to give back to the community.

**Submitted by Bob Amavisca
Adult Probation**

Adult Probation was selected for a Showcase in Excellence award from the Arizona Quality Alliance for their SMI Supervision Program.

The Arizona Quality Alliance is an organization that works to help companies improve productivity and effectiveness.

Each year, the AQA recognizes Arizona organizations for their excellence.

**Submitted by Rebecca Loftus
Adult Probation**

Library and Self-Service Center Tip: Appellate Guides

Do you ever get questions from self-represented litigants about appealing their cases? If so, there is a helpful resource from the Arizona Supreme Court about which you may not know. The Arizona Supreme Court has published a series of appellate guides designed to assist the self-represented litigant in navigating the appeals process. The guides don't just address appeals from the Superior Court to the Court of Appeals alone, there are also guides on:

- Worker's Compensation Case Appeals from the Industrial Commission of Arizona to the Superior Court
- Appeal of a civil case to the superior court for non-traffic cases from the justice of the peace or municipal courts.
- Appeal of a criminal case to the superior court from the justice of the peace or municipal courts
- Appeal of a civil traffic case to the Superior Court from a Justice Court or municipal court.

These guides are linked on the Law Library's website under Self-Help Resources. They can also be found online at the Supreme Court website:

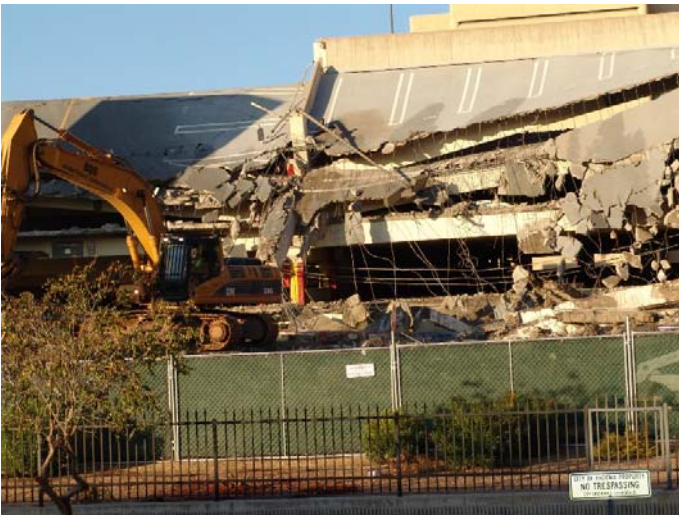
<http://www.supreme.state.az.us/appellateguide.htm>

If you have any questions about this or other resources the library has to assist with appeals, please contact us at the 2nd floor of the East Court Building, by telephone at 602-506-3461, or via email at services@sccl.maricopa.gov.

Submitted by Jennifer Murray, Law Library

Courtside

Photo Highlights



The demolition of the Madison Street Parking Garage is underway. The soon-to-be leveled garage will be the future site of the new Downtown Criminal Court Tower.



The framework for the first courtroom in the basement of the Central Court Building is completed. The remodel will feature four new courtrooms.

Walgreens Pharmacy Opens



Walgreens recently opened a new clinic/pharmacy on the 2nd floor of the County Administration Building in downtown Phoenix.

Maricopa County is offering this new service location as a convenience for county employees.

The pharmacy will be open Monday-Friday from 7:00 a.m. to 5:00 pm.

Last Talent Standing Winner

On December 16th, Superior Court's Mike Benitez claimed top honors in the 2008 edition of Last Talent Standing for his rendition of *Mack the Knife*. Benitez raised **\$824.00** of the **\$6,461.00** raised by Last Talent Standing. Proceeds from the event went to the E.A.S.E. fund.



Debbie Salomone
CMHC

Mike Benitez